

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT



Application No. 14603, of Howard University (the "Applicant"), pursuant to Sub-section 8207.2 (3108.1 DCMR 11) of the Zoning Regulations, for a special exception under Paragraph 3101.46 (210 DCMR 11) for further processing under a campus plan to construct a one-story addition to house a magnetic resonance imaging facility to the existing diagnostic support facility of the Howard University Hospital in a C-M-3 District at the premises, 2041 Georgia Avenue, N.W., (Square 3075, Lot 807).

HEARING DATE: May 13, 1987

DECISION DATE: May 13, 1987 (Bench Decision)

FINDINGS OF FACT:

1. The subject application is before the Board of Zoning Adjustment (the "Board") requesting review and approval of a specific building within the approved Howard University Central Campus Plan (BZA Order No. 13416) approved March 22, 1982.

2. The proposed project is located on the east face of the Howard University Hospital (HUH). The proposed site is in a C-M-3 District. A college or university use is permitted in a C-M-3 District as a matter-of-right.

3. The Applicant proposes to build a magnetic resonance imaging (MRI) unit to house a 1.5 Tesla superconducting magnet system. The one story building of occupies approximately 7,500 gross square feet.

4. The shielding and isolation requirements of the MRI equipment caused a modification to the footprint of the Tower as proposed in the approved plan.

5. There is considerable justification for the installation of this MRI unit within the District of Columbia. MRI has several features which make it preferable to other diagnostic tools. With MRI, a patient is not subjected to surgical procedures or ionizing techniques and the accompanying complications and side affects. The use of MRI will also reduce the cost of health care. In addition to making MRI available to the general public, this unit will bring MRI to the medically underserved in the District. Patients from HUH, D.C. General Hospital and Greater Southeast Community Hospital will have

access to this unit. These three hospitals provide the great majority of the uncompensated care in Washington Hospitals.

6. Testimony further revealed there are other reasons unique to Washington that justify the need for this unit. MRI will be a valuable diagnostic tool for ailments common to blacks or to District residents, such as Sickle Cell Anemia, Carcinoma of the Esophagus, Carcinoma of the Pancreas, drug abuse and Sarcoidosis.

7. Absent exposure to the MRI state-of-the art diagnostic technology, medical residents at Howard University preparing for the board examination in radiology will be at a severe disadvantage compared to students in other major cities.

8. Noise levels in the community will not be affected by the MRI system. The unit is fully contained on the interior of the building, and its presence will add no discernible noise to the exterior atmosphere.

9. There will be no measurable change in the amount of traffic around HUH as a result of this building. The MRI unit will handle approximately 16 patients per day. Eight to ten of these will be new patients.

10. Adequate parking will be provided. While this building will permanently eliminate 18 existing parking spaces, the University will still be in compliance with the previously approved campus plan. That plan requires Howard to provide 4,107 parking spaces when its 1980 plan is fully implemented. Although some portions of that plan have not been implemented, Howard currently has 4,176 parking spaces. Also, HUH lot "b", southwest of the hospital, normally has 15-20 vacant spaces, an amount sufficient to make up for the spaces permanently lost. There are spaces on lots "e" at 9th and V Streets and "G" at 4th and Bryant Streets to make up for the 94 spaces lost temporarily during construction.

11. The MRI unit adds no students to the Central Campus. It does, however, add a few staff members.

12. The Office of Planning ("OP") by memorandum dated May 4, 1987, noted that the application is in general conformity with the approved campus plan and recommended that the application be approved.

13. Advisory Neighborhood Commission (1B) filed no report on the application.

14. The proposal to build Phase I of the Tower had been discussed with the Pleasant Plains Civic Association, the LeDroit Park Civic Association, the LeDroit Park Preservation Society and the Bloomingdale Civic Association. No objection to the construction of this MRI unit was raised at any of those meetings.

15. Persons who sought to provide evidence in favor of or in opposition to the application were provided an opportunity to do so.

CONCLUSIONS OF LAW AND OPINION:

Based on the findings of fact and the evidence of record, the Board concludes that the Applicant is seeking a special exception. In order to be granted such an exception, the Applicant must demonstrate that it has complied with the requirements of Paragraph 3101.46 (210 DCMR 11) and Sub-section 8207.2 (3108.1 DCMR 11) of the Zoning Regulations. The Board concludes that the Applicant has so complied.

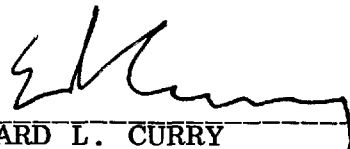
Based upon evidence of record, including reports of Governmental agencies, and the absence of any objections by community residents, the Board concludes that the construction of Phase I of the Tower is in general conformity with the approval Central Campus Plan and that it will not result in objectionable conditions because of noise, traffic, number of students or other circumstances. The Board concludes that the need for the MRI unit has been demonstrated clearly and the project should thus be approved.

The Board further concludes that the special exception can be granted as being in harmony with the general purpose and intent of the Zoning Regulations and maps and will not tend to affect adversely the use of neighboring property in accordance with said regulations and maps. It is therefore ORDERED that the application is GRANTED.

VOTE: 3-0 (Maybelle T. Bennett, William F. McIntosh and Charles R. Norris to GRANT; Paula L. Jewell not voting, having recused herself; and Carrie L. Thornhill not voting, not having heard the case).

BY ORDER OF THE D.C. BOARD OF ZONING ADJUSTMENT

ATTESTED BY:


EDWARD L. CURRY
Acting Executive Director

FINAL DATE OF ORDER: JUN 25 1987

UNDER SUB-SECTION 3101.1 OF THE ZONING REGULATIONS, "NO DECISION OR ORDER OF THE BOARD SHALL TAKE EFFECT UNTIL TEN DAYS AFTER HAVING BECOME FINAL PURSUANT TO THE SUPPLEMENTAL RULES OF PRACTICE AND PROCEDURE BEFORE THE BOARD OF ZONING ADJUSTMENT."

THIS ORDER OF THE BOARD IS VALID FOR A PERIOD OF SIX MONTHS AFTER THE EFFECTIVE DATE OF THIS ORDER, UNLESS WITHIN SUCH PERIOD AN APPLICATION FOR A BUILDING PERMIT OR CERTIFICATE OF OCCUPANCY IS FILED WITH THE DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS.

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